

Harrington Park
ZONING BOARD OF ADJUSTMENT
REGULAR MEETING MINUTES
Wednesday, February 27, 2019 @ 7:00PM

TIME: 7:06PM

Open Public Meeting Act Announcement: In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

ROLL CALL

Roll Call	PRESENT	ABSENT
(RM) Chairman Richard McLAUGHLIN	X (7:09)	
(MR) Vice Chair Michael ROTH	X	
(JP) John POWERS	X	
(JC) Jin CHO		X
(SL) Steve LOTT	X	
(SM) Stephen MARTINEZ		X
(TC) Todd CANNAO	X	
(RB) Robert BUDINICH (alternate a)	X	
(GZ) Gail ZACCARO (alternate b)	X	

Also present: (JS) John Schettino, Board Attorney
(CL) Carolyn Lee, Land Use Secretary

MINUTES FOR APPROVAL

January 23, 2019 minutes

MR asked if everyone had a chance to review the minutes from the Jan.23 meeting.

Approval of January 23, 2019 minutes	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN						X
Vice Chair Michael ROTH			X			
John POWERS	X		X			
Jin CHO						X
Steve LOTT			X			
Stephen MARTINEZ						X
Todd CANNAO			X			
Robert BUDINICH (alternate a)		X	X			
Gail ZACCARO (alternate b)					X	

INVOICES FOR APPPROVAL

No invoices for approval.

HEARINGS

1. 63 First Street – Garage and 2nd floor addition – Wojciech Bednarz

Mr. and Mrs. Bednarz and Mr. Callahan were sworn in last month and are still under oath.

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MR asked the applicants if they wanted to add anything from last month. Mr. Callahan noted that they heard the neighbor's comments and made revisions. There was an attached garage in the previous plan, now they are asking for less relief. The new addition will be 12.5ft from the side property line by eliminating the garage. Previously, the distance requested was 6ft at the closest point. It is about the same distance to the property line as the neighbor's house, to the west. There is about 25ft between the 2 houses.

RM joined the meeting at 7:09PM.

JS asked if there were any other changes. Mr. Callahan said they need to comply with off street parking space so there are asking for a 10ft x 20ft driveway on the west side enough parking for one car. This complies with the ordinances.

JS ask if the plans comply with bulk requirements. Mr. Callahan said they might be looking for relief for a side yard setback for the driveway because the driveway is 2ft or 5ft from the property line. Mr. Callahan said that there were only internal changes. The change necessitated smaller bedrooms. Mr. Callahan noted that there is no attached garage.

RM asked if there were questions from the Board. There were none.

RM opened questions to the Public. There were none. RM closed the meeting to the public.

JP noted that they didn't mark out layout. Mr. Bednarz said that he wanted to change the layout because of the neighbors. JP would have a better understanding of the distances if it was outlined.

Public Comments

Linda Cohen, 67 First Street, Harrington Park said that her house is about 12ft from the property line. The distance to the property line for each of the houses would be the same. She did want to be unreasonable.

Approval of 63 First Street addition application – modified plans dated Feb.11, 2019 (no garage)	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS		X	X			
Jin CHO						X
Steve LOTT			X			
Stephen MARTINEZ						X
Todd CANNAO				X		
Robert BUDINICH (alternate a)	X		X			
Gail ZACCARO (alternate b)					recused	

RM said that the application was approved. Board would adopt the written resolution in the next meeting. Once it is published, objectors have 45 days to file suit to reverse the Board's decision.

2. 76 Kline Street – Expand existing front and rear addition – William Falkenstern

Members asked if they looked at the property. Members said yes. RM asked Mr. Falkenstern if he had anything to add to his testimony concerning the application. Mr. Falkenstern had nothing

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to add. The Board members had no questions. RM opened questions to the public. The public had no questions. The public session was closed.

Approval of 76 Kline Street Application	Motion	Second	Yes	No	Abstain	Absent
Chairman Richard McLAUGHLIN			X			
Vice Chair Michael ROTH			X			
John POWERS			X			
Jin CHO						X
Steve LOTT		X	X			
Stephen MARTINEZ						X
Todd CANNAO			X			
Robert BUDINICH (alternate a)	X		X			
Gail ZACCARO (alternate b)					recused	

RM said that the application was approved. As previously stated for the other application, there would be a written resolution in the next meeting. If anyone wants to file suit, they would have upto 45 days after the resolution is published. The applicant can apply for permits.

3. 282 Parkway – build a porch in the front – Stephen Janson

Stephen Janson was sworn in. He is asking for a variance for the front porch. JS said that the required front yard setback is 35ft. The porch is about 8ft deep and 43.9ft wide.

JS asked if there were steps off the porch? Mr. Janson said there are 2 entrances at the front door (1 step) and in front of the driveway (1 step). The steps go out about 24in. The encroachment is due to the step. The purpose for addition a porch is for aesthetics.

MR asked if the porch is enclosed or would become enclosed. Mr. Janson said it would not. His understanding is that it would not have railings and would be an open plan because it is low enough.

Questions or comments were open the public. There were no questions. Questions were closed to the public.

RM asked if the porch could be marked in a safe way before the next meeting for the Board members to look the property. Mr. Jason agreed.

4. 102 Tappan Road - build an addition and deck – Todd Russell

Todd Russell, 102 Tappan Road was sworn in. Mr. Russell brought additional pictures. He is asking for a variance for an addition for a bedroom and bath on the 2nd floor, a family room on the first floor and a deck off the back. Because of the shape and size of the lot he is asking for side yard variance as well as changing the lower roof at the front. It is a 2-story addition. The addition would be 18.25ft side to side and would go back about 16.5ft. Technically there will be 4 bedrooms. The smallest bedroom is 6.5ft x 8ft. There is an existing porch. He is replacing the flat roof above the porch with more pitch and a gutter. The roof would slope more and is larger. There would be a gutter on the outside, so it would project out a little. The new deck at the back would be 6.8ft from the property line. The proposed deck is 15ft wide x 12ft deep. There would be 3 steps with no rail because it is 24in high. He is asking for variance for the number of

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bedrooms because of the size of the lot. In order to have 4 bedrooms, the lot size must be 10,000sf. The lot is 75ft x 110ft.

JS said that the bedroom is small. Mr. Russell said that the room is used as a closet or ironing room and it too small to use as a bedroom. According to the records, it is considered as a bedroom. JS said that because they are changing the dwelling, during the design process, you can indicate that the room would not be used as a bedroom and would not need a variance. When the house was built, property card indicates the intended number of bedrooms. Mr. Russell said that the property card says 3 bedrooms. RM asked if bedroom could be taken out of service the net affect would that there would still be 3 bedrooms. JS said if Mr. Russell wanted to list the house as a 4 bedroom, he would require a variance. Mr. Russell said that the realtor recommended listing the house as 3 bedroom and office because people would be disappointed at the size of the 4th bedroom.

RM asked based on shape of the house if there were any reasonable alternative to the layout. Mr. Russell said no.

A member asked where the other houses were relative to the neighbors. One side is about 50ft away and the other side about 45ft away from the other houses.

The meeting was opened to the public regarding this application. There were no questions. The meeting was closed to the public.

There were no additional questions from the members.

Mr. Russell was asked to set stakes in a safe way outlining the addition including the back of the new deck within a week. Members will come between now and next month to look at the property.

5. 43 Tappan Road – expand driveway for a turnaround – HJ Han

TC recused himself because he lives within 200ft of the property.

HJ Tan, 43 Tappan Road, was sworn in. Mr. Tan said that the house is located on Tappan Road, a busy street. There is a hidden driveway sign and it is difficult to back out. The existing driveway that is about 10ft wide that goes from the front to the 2-car detached garage in the rear of the property. The purpose of the variance is for a 20ft x 30ft a turnaround in the front of his house, otherwise he would have to back out of the driveway. He can turn around in front of the garage, but it is very hard to turn. It will still be one way in and one way out. He would have to back out the entire garage. He would still need to back out the entire way to turn around at the front. There was discussion on why the turnaround couldn't be at the back, the width of a 2-car garage and other options.

MR asked if was a safety issue. Mr. Han said it was for safety reasons. Mr. Han said that the angle for the turnaround needed an extra 10ft. RM asked if his intention to park cars on the turnaround. Mr. Han said yes but he would not park in front of the house overnight. JS said that he will get clarification from Mr. Zavardino about parking in the front yard.

The turnaround is already in place. JS noted that Mr. Zavardino didn't list any other variance.

RB asked if we could put conditions. JS said we could put restrictions.

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There were no additional questions from the Board.

The meeting was open to the Public.

Todd Cannao, 31 Demarest Place. Mr. Cannao is an immediate neighbor. He provided a picture of the house with a car parked on the turnaround 2 days after it was completed. It is next to his backyard. He said that the property has 4 garages. Mr. Cannao has lived there for 15 years and has never seen an accident in front of the house. Everyone backs into the driveway to pull out. Mr. Cannao's house is on the right. His backyard is adjacent to his front yard. If someone pressed the gas, it could go in the backyard. Mr. Han said there is a fence between the properties.

Melissa Wymbs, 49 Tappan Rd, wants it the way it was, with grass. The 2-car garage under the porch is by her side property line. She has backed out of the driveway for years. It is a 1 family dwelling. Ascetics and safety is her concern. She said if the car is parked in front of the house, it looks like someone is pulling out. The people go faster than 35mph on Tappan Rd and it is a bus route. There are no houses where cars parked in front of the house. There is a cause for accidents if a car is parked in the front lawn.

Mr. Han said that he is looking for approval for safety. His property is at an angle close to the signal and is surrounded by trees and he cannot see when he backs out.

JS said that the members will be able to verify the testimony in terms of the difficulty of backing out and the utilization of the turnaround. Mr. Cannao asked to have the garage doors open. Mr. Han has 2 cars. He noted that visitors need to back out and cannot use the garage to turn around. Ms. Wymbs said that her parents want the grass back. Mr. Cannao said that there is street parking if needed. Mr. Han said there is no parking or sidewalk on Tappan Rd.

The Board adjourned to the next meeting in March. Between now and the next meeting, the Board members will go the property to take a look.

ADJOURN

Motion: GZ

Second: RB

All in favor said "Aye".

TIME: 8:00PM

NEXT SCHEDULED ZONING BOARD OF ADJUSTMENT
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Wednesday, March 27, 2019 at 7pm